

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Christopher Hintz and Sandra Hintz,

Plaintiffs,

v.

JPMorgan Chase Bank, N.A., individually and as successor in interest to Washington Mutual Bank, and Washington Mutual Bank, F.A.,

Defendants.

Case No. 0:10-cv-02825-MJD-JJK

**DECLARATION OF BRYANT  
TCHIDA IN SUPPORT OF  
JPMORGAN CHASE BANK, N.A.'S  
MOTION TO DISMISS**

Bryant Tchida, being duly sworn, deposes and states:

1. I am an attorney representing Defendant JP Morgan Chase Bank, N.A. ("Chase") in this matter. I submit this Declaration in Support of Chase's Motion to Dismiss.
2. Attached to my Declaration as Exhibits are true and correct copies of the following:

Exhibit A: Notice of Right to Cancel, dated July 23, 2007, as found in records maintained by Chase in the ordinary course of its business;

Exhibit B: September 25, 2008 Purchase and Assumption Agreement between JPMorgan Chase Bank, N.A., and the Federal Deposit Insurance Corporation, as Receiver for Washington Mutual Bank, FA. A copy of this Purchase and Assumption Agreement is also publicly available on the FDIC's website at

[http://www.fdic.gov/about/freedom/Washington\\_Mutual\\_P\\_and\\_A.pdf](http://www.fdic.gov/about/freedom/Washington_Mutual_P_and_A.pdf);

Exhibit C: Complaint, *Hintz v. JPMorgan Chase Bank, N.A.*, Hennepin County, Minnesota, District Court No. 27-CV-09-18705 (July 8, 2009);

Exhibit D: Notice of Motion and Motion to Dismiss, *Hintz v. JPMorgan Chase Bank, N.A.*, Hennepin County, Minnesota, District Court No. 27-CV-09-18705 (Aug. 21, 2009);

Exhibit E: Order, *Hintz v. JPMorgan Chase Bank, N.A.*, Hennepin County, Minnesota, District Court No. 27-CV-09-18705 (Jan. 4, 2010);

Exhibit F: Notice of Entry of Order, *Hintz v. JPMorgan Chase Bank, N.A.*, Hennepin County, Minnesota, District Court No. 27-CV-09-18705, dated January 8, 2010;

Exhibit G: *Cassese v. Wash. Mut., Inc.*, No. 05-2724 (E.D.N.Y. Dec. 22, 2008).

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT. FURTHER, DECLARANT SAITH NOT.

Dated: July 30, 2010

/s/ Bryant D. Tchida